

CALENDAR YEAR 2000

Project Disarm Court Activity

	Authorizations	Indictments	Motions Hearings	Trials	Convictions	Sentencings
Baltimore	207	161	21	10	8	46
Greenbelt	62	51	10	8	7	35
Total	269	212	31	18	15	81



U.S. Department of Justice

United States Attorney
District of Maryland

Lynne A. Battaglia
United States Attorney

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Please respond to:
Northern Division

January 5, 2001

The Honorable Martin O'Malley
Mayor of Baltimore
City Hall
100 N. Holliday Street
Baltimore, MD 21202

Re: DISARM - 4th Quarter Report

Dear Mayor O'Malley:

Enclosed is a copy of the 4th quarter summary for Project DISARM prosecutions in the Northern (Baltimore) Division of the District of Maryland. In February of last year, this Office met with you, Lt. Governor Kathleen Kennedy Townsend and other state and local law enforcement leaders to discuss ways to reduce violence in Baltimore. For its part, this Office committed to a significant expansion of Project DISARM that would result in the federal prosecution of city firearm law violators on a scale not seen before. I am proud to report that this Office met that commitment. The 161 DISARM indictments returned by the federal grand jury in Baltimore in 2000 represent an unprecedented number of federal firearms prosecutions by this Office, which is a nationwide leader in such prosecutions. Approximately 32 additional cases that were authorized for investigation in 2000 are expected to be indicted in the near future, bringing the total to 193 DISARM indictments. These cases, most of which were adopted for federal prosecution from arrests made by the Baltimore City Police Department, represent a 93% increase in firearm indictments in Baltimore during 2000, and followed a 72% increase in DISARM cases in 1999. Indeed, last year approximately one-half of all the criminal cases brought by this Office's Baltimore Division and three-quarters of the cases brought by the Baltimore Office's Narcotics and Violent Crime Section were Project DISARM cases.

The joint state and federal effort produced impressive results in 2000. Increased federal prosecution of city firearm offenders, combined with the significant and well publicized accomplishments by the Baltimore City Police, such as the initiative in the Eastern District, have resulted in a 15% reduction in the number of homicides in 2000, a drop from 308 in 1999 to 262 in 2000. While there can never be an "acceptable" rate of homicide and much remains to be done, the importance of reversing the grisly trend of the last decade cannot be overstated.

Beyond the overall decrease in homicides, the sharply reduced murder rate we have seen over the last four months of 2000 provides reason for optimism that the homicide rate will continue to decrease in 2001. The federal firearm cases brought by this Office emphasize prosecution of offenders with at least one prior conviction for a crime of violence or drug trafficking crime, the offenders we know to be at the core of Baltimore's violent crime problem. We firmly believe that the federal prosecution of hundreds of firearm offenders in 1999 and 2000 -- especially of those offenders with proven records of violence and drug trafficking--and the recognition by potential offenders of the dire consequences of either state or federal prosecution, has contributed significantly to the reduction in homicides. Also, while DISARM prosecutions primarily focus on violations of the federal felon-in-possession statute, these prosecutions have undoubtedly had a direct impact on Baltimore's drug traffickers, for whom firearms have been a standard "tool of the trade." In 2000, approximately 60% of all DISARM defendants had at least one prior conviction for a felony drug trafficking crime; many had several such convictions. Many cases involve circumstances in which it is apparent that the firearm violator possessed a firearm for reasons associated with drug trafficking. While the poverty and despair underlying Baltimore's terrible addiction problem will continue to challenge federal, state and local elected officials and the community itself, DISARM prosecutions are helping to reduce the violence associated with this scourge.

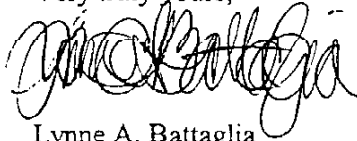
The progress achieved in 2000 was the result of coordinated state and federal efforts. Successful strategies and creative innovations implemented by the Baltimore Police Department, such as the focus on reducing the number of fugitive warrants, the reinvigoration of the homicide and narcotics units, and, most importantly, the determined effort to address violence in Eastern District by the deployment there of one hundred additional officers, made last year's gains possible. Arrests mean little without successful prosecutions, however, and Project DISARM and City FIVE Unit prosecutions have succeeded in sending an unmistakable message in the form of lengthy jail terms. It is very clear that firearm carrying felons fear federal prosecution - but the recently enacted state felon-in-possession statute and the commitment of additional state resources to the Baltimore State's Attorney's Office FIVE Unit have moved Baltimore closer to the day when ANY firearm prosecution, whether state or federal, will provide a credible deterrent to criminal behavior.

The increase in the federal prosecution of city firearm cases has highlighted the need for better training in the investigation and presentation of firearm cases by Baltimore Police officers, who are the key witnesses in most DISARM prosecutions. The law in this area has also become increasingly complex with every new Fourth Amendment decision by the Supreme Court. As they face the likelihood of lengthy state and federal sentences, firearm defendants are more likely to challenge the factual and legal sufficiency of the government's evidence. Officers must be expected to not only make an arrest and get a gun off the street, but to present cases that withstand the vigorous legal scrutiny that should be expected in any criminal prosecution. In 2000, to better prepare city officers to make cases that will stand up in court, Assistant United States Attorneys, on a volunteer basis, served as instructors in every city in-service class. In addition, in December, some seventy specially selected officers participated in a week long firearms investigation seminar that was sponsored by this Office. The new police administration is emphasizing department wide firearm investigation training and enforcement, and this Office will continue to help.

The reduction in Baltimore's homicide rate in 2000 was the result of the combined effort and dedication of many people. City police and prosecutors, state and city elected officials, and federal prosecutors and law enforcement agents all played a vital part. These efforts will continue in 2001. The people of Baltimore also deserve credit for their faith and support of these efforts. They deserve what is every citizen's basic civil right, the right to safety and security in their homes and neighborhoods. No mission has been more important to this Office than to help ensure the safety and security of every citizen of Maryland, and I am honored to have been part of the effort to restore that right to every citizen of Baltimore.

Thank you for allowing me an opportunity to update you on the progress of our joint efforts to reduce gun violence in Baltimore, and for your support of these efforts. Please do not hesitate to contact this Office should you require any additional information.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lynne A. Battaglia', written over a horizontal line.

Lynne A. Battaglia
United States Attorney

Enclosures

**UNITED STATES ATTORNEY'S OFFICE
Northern (Baltimore) Division
Final 2000 Project DISARM Report***

DISARM INDICTMENTS AND AVERAGE SENTENCE

Year	Defendants Indicted	Average Sentence
1994	3	98.6 months (8.2 years)
1995	33	134 months (11.1 years)
1996	42	96 months (8 years)
1997	42	85 months (7.1 years)
1998	58	87 months (7.3 years)
1999	100	78 months (6.5 years)
2000	193**	62 months (5.2 years)

* table does not include Southern Division (Greenbelt) DISARM cases. 62 DISARM cases were authorized in the Southern Division, of which 51 were indicted as of 12/31/00.

** Includes cases **Indicted** and **Pending Indictment**; 207 DISARM prosecutions were authorized in Baltimore in 2000; 161 defendants were indicted as of 12/31/00; 32 cases authorized in 2000 are under review pending indictment.

**OVERVIEW OF COMMITMENT OF U.S. ATTORNEY'S OFFICE TO
FEDERAL FIREARM PROSECUTIONS IN BALTIMORE**

Based on the 193 Baltimore DISARM cases indicted/pending indictment, there was a 93% increase in federal felon-in-possession prosecutions in 2000.

72% Increase in DISARM Indictments in 1999

In 1999, federal DISARM indictments by the Baltimore Division of the USAO increased by 72% from 58 to 100 firearm violators indicted.

DISARM Cases Were One-Third of the USAO caseload in 1999

32% of all 1999 USAO Baltimore Division indictments were brought under DISARM.

60% of all 1999 Baltimore Division Violent Crimes/Narcotics Section indictments were DISARM prosecutions.

...and constituted 48% of all indictments in 2000

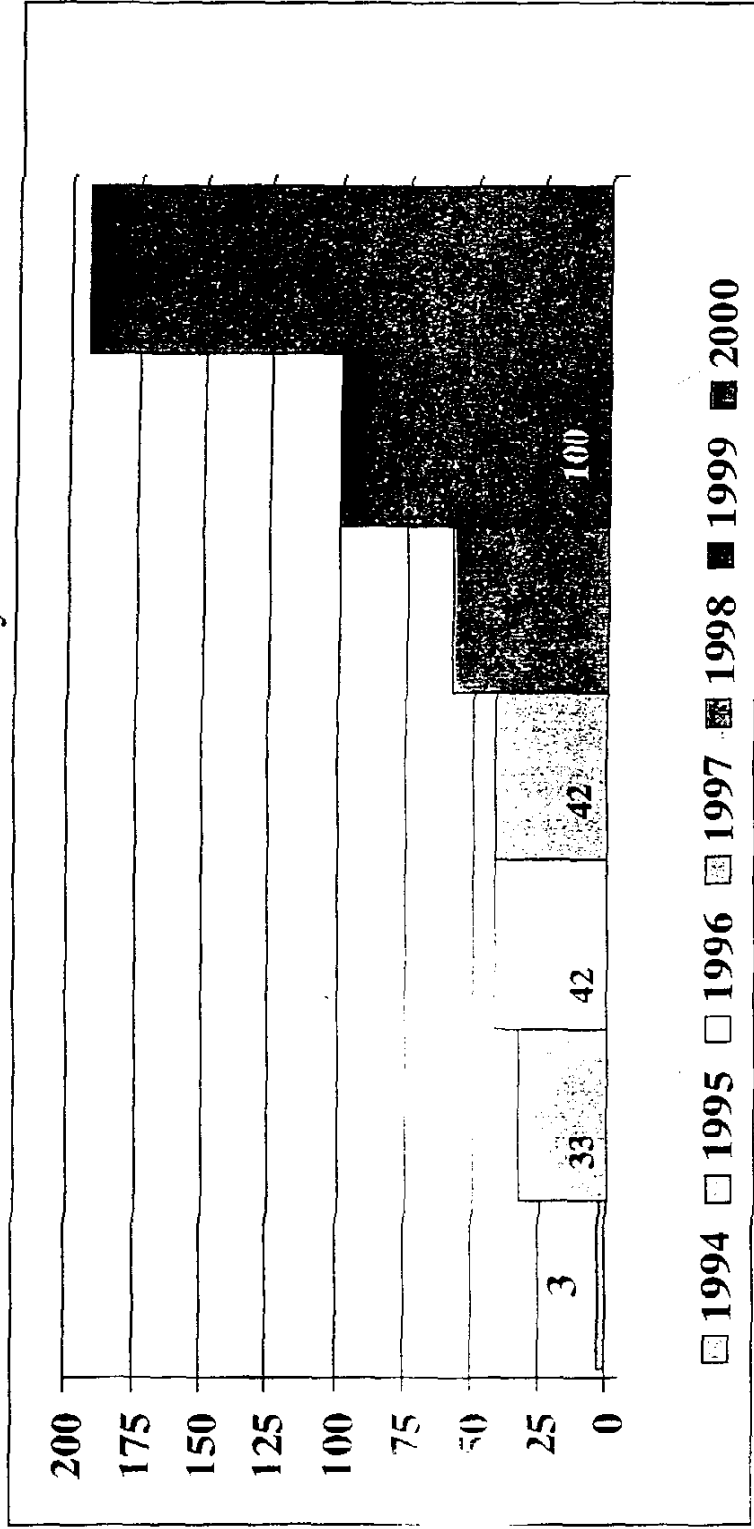
48% of all 2000 USAO Baltimore Division indictments were DISARM cases.

73% of all 2000 Baltimore Division Violent Crimes/Narcotics Section indictments were DISARM cases.

PROJECT DISARM - BALTIMORE

U.S. Attorney's Office for the District of Maryland
Northern Division (Baltimore)

2000 Summary



Federal Felon in Possession Indictments

(Year 2000 Indictments include 161 indicted cases and 32 cases pending indictment as of 12/31/00)